

**MINUTES OF
CITY OF DUVALL
COUNCIL MEETING
March 26, 2009
7:00 P.M. - Duvall Fire Station**

Council Workshop 6:30 PM: Committee Updates on Goal Setting

The City Council Meeting was called to order by Mayor Will Ibershof at 7:04 P.M.

Council Present: Gérard Cattin, Vicki Edwards, Elizabeth Walker, Dianne Brudnicki, Gary Gill, Anne Laughlin, Glen Kuntz.

Staff Present: Steve Leniszewski, Glenn Merryman, Harry Oestreich, Lara Thomas, Bruce Disend, Jodee Schwinn.

I. Additions or Corrections to the Agenda:

Under Consent Agenda add: Approval of Payroll in the amount of \$152,163.17, Claims in the amount of \$753,564.74, move AB09-37 from the Consent Agenda to New Business; Under Presentation add: Presentation by Mercer Island Mayor Jim Pearman – “Outside Seattle.”

II. Adoption of Council Agenda:

It was moved and seconded (Laughlin-Kuntz) to adopt the 3/26/09 City Council Agenda. The Motion carried. (7 ayes).

III. Comments from the Audience:

Debbie Higgins, Duvall, said that last August she turned in a proposal after meeting with City Staff Doreen Booth, Steve Leniszewski and Alana McCoy, proposing to rebuild the milking barn at the Dougherty Farmstead and to use her goats to clear and maintain the land. Along with the city staff at that meeting was the president and treasurer of Human Links Foundation who promised to fund the entire project, and to help her get re-licensed as a dairy. Shortly after turning in her proposal in, staff decided to put out an official RFP for proposals for the Dougherty Farmstead. Ms. Higgins stated that a City Councilmember also turned in a proposal. She really takes exception to the fact that a City Councilmember would compete with a citizen’s proposal and funding. She’d like to know why everyone couldn’t have worked together on this idea back when funding was available.

Skylar Hansen, 13920 – 282nd Ct. NE, Duvall, said he wanted to note that public comments are not to be directed to an individual Councilmember, and that all comments be addressed to the City Council as a whole.

IV. Approval of Consent Agenda:

It was moved and seconded (Walker-Brudnicki) to approve the consent agenda which included approval of Payroll Checks Numbered #7671-7678 in the amount of \$152,163.17; Claims Checks Numbered #7667-7670, #7680 and #7681-7750 in the amount of \$753,564.74; approval of the Council Meeting Minutes of 3-12-09; and approval of the following contracts, resolutions, and ordinances: AB09-32 Ordinance #1083 amending Section 3.02.150 of the DMC, the Drug Enforcement Investigative Fund; Ordinance #1084 amending Chapter 3.12 of the DMC, relating to Small Works Rosters and Consultant Services Rosters; and authorizing the Mayor to sign a Banking Resolution changing bank account signature cards to add the Finance Director. The Motion carried. (7 ayes).

V. Presentation: Jim Pearman - "Outside Seattle"

Mayor Ibershof explained that "Outside Seattle" is a newly formed organization whose main focus is to promote tourism and economic development programs in the outlying areas surrounding Seattle.

Jim Pearman, gave a PowerPoint presentation on the "Outside Seattle" organization. He explained that many cities have signed up to join the organization. There is a cost associated with joining the organization. He stated that the cost to Duvall and Carnation to join, combined, would be \$2,500 for a year.

VI. Scheduled Items:

1. Mayor:

Mayor Ibershof reported that he and Councilmembers Laughlin and Edwards attended the Snoqualmie Valley Governments Association Meeting on Wednesday. He stated that one of the big items of discussion right now is highway tolling. There is a lot of discussion on whether or not to toll both I-90 and 520. 520 is the only bridge that needs to be replaced, but there are many differing opinions on what bridges to toll to pay for the replacement. Mayor Ibershof was asked to come back and find out from the Duvall City Councilmembers how they feel about tolling on I-90 in addition to tolling 520. Councilmember Cattin pointed out that both the bridges work in tandem and both will be affected by the flow of traffic.

2. Committee Reports:

a. Land-Use Committee: Councilmember Dianne Brudnicki reported that the Committee met and worked on their mission statement, goal setting, and also reviewed the proposed Park Impact Fee. The Land Use Committee has reviewed the Impact Fee several times, looked through it and discussed it, and after thorough review of the document they recommend approval of a Park Impact Fee of \$4,068 per single family unit and \$3,606 per multi-family residential unit.

b. Public Works Committee: Councilmember Gary Gill reported that the Committee met and discussed the Dougherty RFP. The Committee's recommendation is to not award anyone that RFP based on all of the information that they received. They discussed the Committee's goals, and also discussed moving forward with a complete design for the sidewalk improvements to the NE 145th and 275th street area. Staff has also been working with Waste Management on negotiating a new contract with some changes to current contract terms and services.

c. Public Safety Committee: Councilmember Vicki Edwards reported the Committee's goals were covered in the earlier workshop. Chief Merryman also already updated Council earlier on a potential police grant opportunity. She gave an update on the Fire Inspections Program. Duvall Fire Chief Lambert is hoping to get notification letters out in April and for the inspections to begin soon after.

d. Economic Development Committee: Councilmember Anne Laughlin reported that Committee met and discussed their priorities for 2009 and the Committee's mission statement. Councilmember Brudnicki gave an update on Duvall Days. She said the Duvall Days Committee met earlier in the day and everything is moving forward with a lot of collaboration between all of the different groups involved. She reported that Cherise Bromberg with the Duvall Police Department has stepped up to be the Volunteer Coordinator for Duvall Days.

e. Finance & Administration Committee: Councilmember Gérard Cattin reported that the Committee met and identified their mission statement. They also identified some policies to be updated. He commented that the new City Finance Director, Harry Oestreich, is doing a great job of cleaning up some of the policies and the code. Councilmember Cattin reported that the Committee did review the impact fee document that Finance Director Harry Oestreich created, and a majority of the Committee recommended moving forward with the new impact fee, with the exception of Councilmember Edwards.

VII. Public Hearing: Park Impact Fees

7:55 p.m. The Public Hearing was opened.

John Ghilarducci, FCS Group Consultant, reviewed the Park Impact Fee Study.

Lara Thomas, Planning Manager, submitted for the record an email from Ty Waude. Lara also briefly reviewed the history of the City of Duvall Park Plan Update and Park Impact Fee.

Skylar Hanson, 13920 – 282nd Ct. NE, Duvall, feels this is a defining issue for the community and representative of a larger referendum on who will most shape and define Duvall's future; it's residents, represented by the city staff and elected officials, or a few vocal developers who find themselves caught in the bust period of a boom and bust cycle that is the very nature of the business they have chosen to pursue. He stated he

appreciates that the public hearing process has given him the opportunity to provide a citizen's voice against the special interests pressuring City Hall. He urged Councilmembers to conduct a straight up and down vote on the Impact Fee as it is proposed.

David Carson, 16318 NE 50th Way, Redmond, encouraged Council to support the motion as well. He stated that growth is exactly what Redmond desires, and this proposal that is under consideration by Duvall clearly shows that growth is not something that Duvall is interested in anymore. He stated that Redmond would enjoy the growth that would come from being more competitive against these increased fees.

Todd Woosley, 12005 NE 12th St, #44, Bellevue, Housing Specialist with Seattle King County Association of Realtors. He stated one of their goals is to make it easier for people to afford homes, and to help people sell their homes. We are currently in the slowest housing market in a quarter of a century. Housing prices have not stabilized yet, and they continue to drop. These are different times than when the City of Duvall started the process to look at how to fund parks to accommodate future growth. Governments are taking extraordinary measures to try to stimulate the housing economy. Increasing the park impact fee is not on any list as to how to stimulate the housing market. He asked Council to consider a delay in increasing the park impact fee for a year.

Rob Millard, 28420 NE Cherry Valley Rd, Duvall, said he comes concerned as a future new home buyer in Duvall. He is concerned about the proposed impact fee and what precedent that is going to set for people like himself that want to purchase a new home. Clearly the \$2,000 isn't going to be a deciding factor on whether he purchases a new home or not, but the actions of the Council will. It concerns him that they may vote to increase the fee in this economy, and that this Council is no longer in touch with what the members of the community want. He doesn't expect Council to fix the national problems right now, but he asked them to refrain from adding to it.

Lynn Eshleman, 17921 Bothell-Everett Hwy. #100, Bothell, Pacific Ridge Homes, said increasing park fees will hurt their industry more and will hurt the sale of houses. Most of the region is looking at ways to stimulate the economy. By increasing fees, any fees at all, the City of Duvall is just doing the opposite. With all of the problems with the current City budget, is this the right thing to do right now? She asked Council not to increase the fee. It's not the thing to do and it's not the right time to do it. A delay would be good and bring it up at a better time.

Bruce Knowlton, 9720 NE 120th Pl, Kirkland, Camwest Development, commented that these are extraordinary times. Everyone in the entire building industry is completely focused on keeping their companies alive right now. They are all selling houses at a very little margin right now, and many times at a loss. He asked Council that whatever fee they decide to adopt, that they delay imposing that fee for at least one year, or possibly two years from now. There is nowhere from where this money will come. It is important right now to not load up the builders with fees such as this, and instead, the City needs to do their part to help stimulate the local economy.

Duana Kolouskova, 1601 - 114th Ave SE #110, Bellevue, an attorney representing a group of developers. She commented that there are a lot of legal and consulting technicalities that go into impact fees that can't be summarized in a brief presentation. She feels that what Council is doing is asking that 26% of the new population coming in to be paying for more than 55% of the City's total project costs. That doesn't take into account the fact that there is a current deficiency that is entirely the City's burden. She feels the City is asking new growth to pay for both the existing deficiency in parks and 100% of the cost of all the new parks and improvements coming in. The City is then pocketing all of the other benefits that it is receiving from REET and all of the other funding sources. It is a double dip that the Council legally needs to watch out for, and she hopes that they have examined that very carefully before they make a decision. The parks will benefit the whole city and the whole city should fairly pay for those new parks. She feels that the City is asking the developers to pay for new projects now, even though the City doesn't have any confidence that it can pay for its own share. She believes that this impact fee will further injure the few builders that are left standing, and also discourage an unknown number of building permits from being applied for.

Ray Burhen, Box 6, Duvall, said the City's Parks Plan has been very eloquently presented over the last few months. He said it looks like it is probably a very good long range vision to be looked at if we were operating under normal conditions. He doesn't feel that we are operating under normal conditions at this time. He doesn't believe that this is the time to be increasing any fee as much as the proposed park impact fee. He believes that it will send a message to the overall business community that Duvall is a high cost city and is not really in tuned or aware of the current economic conditions. The City needs some continued growth to add to its overall tax base. If the City becomes known for or has a reputation as a high cost place to do business, it may be the last place in the area to see any economic recovery take place. If Council really feels that they need an increase to the park impact fee it should be kept in the 15% - 25% maximum increase at this time.

David Hoffman, 335 - 116th St. SE, Bellevue, Master Builders Association, said that one question that Council may want to ask itself when voting tonight is: Do you want Duvall to lead the way out of the recession, or lag behind the other local jurisdictions? He shared what some of the neighboring jurisdictions are doing to stimulate growth. He emphasized that there are other options that the City Council can take regarding adopting new impact fees.

8:35 p.m. The Public Hearing was closed.

VIII. New Business:

1. (AB09-34) Confirmation of Mayor Ibershof's appointment of Shawn Chandler to the Duvall Planning Commission Position #1, a term ending 12/31/10. *It was moved and seconded (Walker-Laughlin) to confirm Mayor Ibershof's appointment of Shawn Chandler to the Duvall Planning Commission position #1, a term ending 12/31/10.*

The Motion Carried. (7 ayes).

Shawn Chandler introduced himself. He said he is a planner and a landscape architect and he is excited to serve in Duvall and up to the challenge. He thanked Council and said he looks forward to working with everyone.

2. (AB09-37) Ordinance #1085 Establishing the position and pay scale for a Planning Manager with the Planning Department. *It was moved and seconded (Edwards-Walker) to adopt Ordinance #1085 establishing the position and pay scale for a Planning Manager with the Planning Department. The Motion Carried. (7 ayes).*

3. (AB09-36) Ordinance #1086 setting the Park Impact Fee. *It was moved and seconded (Walker-Brudnicki) to adopt Ordinance #1086 setting the Park Impact Fee.*

Planning Manager, Lara Thomas, and Finance Director, Harry Oestreich, provided further clarification on questions that the Councilmembers had regarding the proposed Park Impact Fee.

Each Councilmember gave a brief statement of what their individual feelings were regarding the proposed impact fee, and each shared some background details on the vote they were about to take.

The Motion Carried. (5 ayes). (2 nays – Edwards, Laughlin).

IX. Executive Session: *None*

X. Adjournment: *It was moved and seconded (Gill-Brudnicki) to adjourn. The Motion Carried. (7 ayes). The meeting adjourned at 9:30 p.m.*

Signed _____
Mayor Will Ibershof

Attest _____
Jodee Schwinn, City Clerk